

**REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL**

**April 7, 2003**

**9:00 a.m.**

**The Council of the City of Roanoke met in regular session on Monday, April 7, 2003, at 9:00 a.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended; and pursuant to Resolution No. 36193-010603 adopted on January 6, 2003, which changed the time of commencement of the regular meeting of Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m.**

**PRESENT: Council Members William H. Carder, M. Rupert Cutler, William D. Bestpitch, and Mayor Ralph K. Smith-----4.**

**ABSENT: Council Members C. Nelson Harris, Alfred T. Dowe, Jr., and Linda F. Wyatt (arrived late) -----3.**

**OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.**

**CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended, was before the body.**

**Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.**

**NAYS: None-----0.**

**(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)**

**COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.**

**Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.**

**NAYS: None-----0.**

**(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)**

**PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.**

**Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Mr. Carder and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.**

**NAYS: None-----0.**

**(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)**

**PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion**

in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A) (3), Code of Virginia (1950), as amended.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.

NAYS: None-----0.

(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

At 9:05 a.m., the Mayor declared the meeting in recess.

The Council meeting reconvened at 9:10 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding, and all Members of the Council in attendance. (Mr. Dowe arrived at 9:30 a.m.)

ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION, CLARIFICATION; AND ADDITIONS/DELETIONS TO THE 2:00 P.M. DOCKET:

SALE/PURCHASE OF PROPERTY-BUDGET-WATER RESOURCES: The City Attorney presented an additional measure for consideration by Council at its 2:00 p.m., session in connection with the City Manager’s communication recommending execution of Change Order No. 2 to the contract with Golder Associates, Inc., for ground water exploration investigation and work, with regard to development of additional water sources to increase the City’s water supply; an option agreement to purchase property located at 1905 Riverdale Road, S. E., to be used as a well site; and appropriation of funds. (Agenda item 6.a.6.)

HABITAT FOR HUMANITY: Dr. Cutler referred to an item on the 2:00 p.m., Council docket pertaining to a request of Habitat for Humanity in the Roanoke Valley, Inc., to present a faux check representing property taxes, permit fees, and local sales taxes paid to the City and to discuss new house designs. He called attention to a concern of Habitat for Humanity in regard to the City’s reaction to its proposal to construct six to twelve new houses; however, there appears to be a reluctance on the part of the City Manager to approve the proposal.

The City Manager advised that Habitat for Humanity has constructed 120+ low to moderate income houses in the City of Roanoke, most of which were constructed prior to the Council's discussion regarding ways to deconcentrate low and moderate income housing throughout the City, and to disperse such housing so that there is not a high concentration of any one socio-economic status in the community. She stated that direction has been provided to Habitat indicating that the City is prepared to make funds available through the Community Development Block Grant program, but housing should not be constructed in such a way as to further concentrate housing in a particular area of the City; however, Habitat has not responded to the offer. She explained that the City, through the Roanoke Redevelopment and Housing Authority, owns a tract of land on which Habitat is interested in constructing a significant number of houses, which is in addition to a parcel of land that Habitat currently owns that would provide the opportunity for construction of six or more houses; however, it is the opinion of City staff that no further housing should be concentrated in that specific area of the City. She noted that City staff has been supportive of Habitat for Humanity and encouraged Habitat to modify its housing design so that in the future Habitat homes will be more in keeping with the overall neighborhood and the houses will not stand out in a way that makes it obvious that the structure is either a Habitat house, or the occupant is of low to moderate income status; therefore, Habitat has agreed to construct different size houses, with multiple arrangements for bedrooms, porches, etc. She advised that there continues to be a concern about the concentration of Habitat houses in one part of the City; Habitat has advocated minimum acreage for its houses so as to maximize the number of houses that can be constructed on a particular parcel of land; and City staff believes that the approach should be to locate Habitat houses in all neighborhoods, to use infill properties, and to construct houses of a similar character to those already existing in the neighborhood. She stated that Habitat for Humanity has been advised that the City of Roanoke cannot continue to be the low and moderate income housing capital of southwest Virginia and the City has suggested that Habitat should acquire property in other areas of the region.

The City Manager explained that staff's recommendation in no way affects Habitat's ability to purchase property and to build as would any private developer, but in large measure, Habitat for Humanity has been able to construct many houses in the City of Roanoke because the City has made property available to the organization.

Council Member Dowe entered the meeting.

**SCHOOLS:** Vice-Mayor Harris referred to an item on the 2:00 p.m. Council docket pertaining to the selection of persons to be formally interviewed for the position of School Trustee on April 24, 2003, beginning at 4:30 p.m. He advised that Council may interview up to three persons per vacancy, or nine applicants; however, Council could interview less than nine persons if it so desires. He stated that it would be appropriate to reach a consensus of the Council at this time as to those persons who will be formally interviewed.

Following discussion, it was the consensus of Council that the following persons will receive the formal interview on April 24, 2003, at 4:30 p.m., in the Council Chamber, and all other applicants will be eliminated from the School Trustee selection process:

Dennis M. Binns  
F. B. Webster Day  
Tiffany M. Johnson  
Gloria P. Manns  
Kathy G. Stockburger  
David B. Trinkle

**TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:**

**COUNCIL-SCHOOLS-BUDGET:** The City Manager advised that Council is scheduled to meet with the School Board in budget study session on Thursday, May 8, 2003, at 8:30 a.m. She explained that because the fiscal year budget has been established by that time, the meeting is not strictly a budget session, but could provide an opportunity to discuss other issues. She called attention to an item of significant importance to the Council and to the School Board; i.e.: a detailed presentation by the School Board on plans for renovations to Patrick Henry High School, and noted that the Patrick Henry project is the most significant capital expenditure for any one item in the school system in many years, however, no in-depth presentation has been made to the Council.

Following a discussion of the matter, it was the consensus of Council to request a detailed briefing on Patrick Henry High School renovation plans; a briefing on vocational/technical education and the changing needs of society, recognizing that a four-year college degree will not be the demand for most jobs of the future, financial support by the School Board for vocational/technical education, the School Board's philosophy/definition of vocational/technical education and its future, the future of the Blue Ridge Technical Academy, the sharing of the principalship between the Blue Ridge Technical Academy and the Noel C. Taylor Learning Academy, a clarification of the focus of the Blue Ridge Technical Academy and the Gibboney Career and Technical Education Program, and a brief summary of the School Board's proposed fiscal year 2004 budget.

It was suggested that the budget information be provided to the Council in advance of the May 8 meeting for review.

#### **BRIEFINGS BY STAFF:**

**FLEET MANAGEMENT:** The City Manager introduced Robert D. Frazier, Manager, Fleet Management, for a briefing on the City's vehicular fleet and equipment, and reductions in the fleet which are proposed in the fiscal year 2004 budget.

Mr. Frazier presented information on the mission and vision of Fleet Management, a utilization survey, performance measures, a vision for the future and key steps that are necessary to accomplish the vision. He advised that staff's vision to be the best Fleet Management organization in the Commonwealth of Virginia by the year 2005 is in concert with Goal No. 4 of City's Strategic Plan 2003. He stated that a utilization survey revealed that approximately 884 vehicles and pieces of equipment are managed by the Fleet Management Division and as a result of research through the American Public Works Association, minimum standards were developed for maintaining and utilizing City vehicles; and survey results information was provided to City department managers inquiring as to the amount of utilization of equipment/vehicles, is the equipment being properly utilized, are there ways to consolidate equipment, are there ways to eliminate certain equipment, and is it possible to work in a new mode with fewer vehicles and equipment. He stated that the departments also looked at how they are budgeted in comparison to other municipalities in the Commonwealth of Virginia and it was determined that Roanoke is ranked 6<sup>th</sup> in budgeted dollars but 3<sup>rd</sup> in fleet size, and in reality the City of Roanoke is spending about \$1,000.00 per vehicle, but budgeted at just over \$700.00 per vehicle.

He explained that the first goal was to match the size of Roanoke's fleet to the needs and utilization of the Fleet Management department, and to ensure that the department could properly maintain the fleet of vehicles, which, in today's market means more than just purchasing parts and equipment, but the training of technicians that involves investment of a lot of time and money to ensure that technicians receive the training they need to properly diagnose and repair equipment. In addition, he stated that vehicles and diagnostic tools are updated each year so as to identify vehicular problems; there was a need to eliminate and to consolidate vehicles wherever possible, therefore, department managers were requested to identify those areas where operations could be consolidated, where vehicles could be shared by more than one City department through a motor pool, and 35 vehicles and pieces of equipment are currently included in the City's motor pool. He noted that voluntarily, department managers eliminated 90 vehicles and pieces of equipment from the fleet, which equates to an immediate savings of \$611,500.00 for vehicles and pieces of equipment that did not need to be replaced,

and when projecting the costs over an average of a ten-year life span, \$285,000.00 in savings per year for ten years represents approximately a \$3 million savings in CMERP and an immediate savings of \$46,000.00 a year in the Fleet Management budget for repairs and maintenance of equipment. He stated that departmentally, performance measures were established to determine if Fleet Management was doing a good job for all City departments by analyzing availability, which is the percentage of time that a vehicle or piece of equipment is actually available when it is scheduled for use; industry standard is 95% of the time, and over the past six months, the City was above the 95% level during five of those six months. He called attention to a snow removal policy for City employees to better manage vehicles and to ensure the best possible job in these situations; vehicle turnaround time was reviewed with regard to the amount of time it takes to get a vehicle back in service, and turnaround time has been reduced by 50% in the last six months. He stated that staff reviewed the parts department, and the last three inventories showed a 1.2% average error rate, or less, while industry standard is 5%.

He reviewed cost saving measures, such as reducing the number of sports utility vehicles which are more expensive to maintain than a sedan or pick-up truck by 10%; utilizing salvaged vehicles for parts which led to a savings of over \$14,000.00 in the cost of new parts; the department has studied the potential of repairing parts versus replacement of parts as a cost saving measure; and CMERP replacement of equipment was reviewed so as to purchase the most efficient equipment for the tax dollar.

Looking to the future vision of the Fleet Management department, Mr. Frazier called attention to a goal to formalize a career development program which will guide employees upon entering the department on how to move up from a Mechanic's Helper to a Mechanic 1, to a Mechanic 2, to a Master Mechanic, to a Supervisor; how to attain ASE certification, which has been attained by 75% of the City mechanics; and the City of Roanoke can apply to be Blue Seal Certified which will make Roanoke the fourth municipality in the Commonwealth of Virginia to be ASE Blue Seal Certified in the shop. He explained that individual productivity is emphasized by tracking direct labor, indirect labor, and reviewing the amount of time that is devoted to a specific activity, while looking for methods to improve productivity through a team approach and buy in by staff. He stated that a goal is to fully implement the motor pool, to implement the department's mission policy to help guide City department managers in making the right decisions regarding replacement of vehicles, development of vehicle replacement guidelines containing mileage and/or hours criteria, age criteria, and life-to-date maintenance costs, and when a vehicle exceeds any two of those standards for the type of vehicle, it then qualifies for replacement; and to continue the tracking program by reviewing significant criteria to be able to move to the next level in order to provide better data leading to better decisions and better accountability.

Mr. Frazier reviewed other specific steps such as a new procedure for addressing oil changes for the City's vehicular fleet, installation of new shop doors on the back side of the facility, installation of an in-house radio system, re-engineering the night shift operation to be more productive during those hours when there are fewer City employees on the job, investment in software technology and hardware technology that will provide better tracking capability and direct interaction between technicians, and investing in the right diagnostic equipment, all of which will lead to a more efficient operation and better service for customers.

In summary, Mr. Frazier expressed appreciation for the opportunity to review the operation of the Fleet Management division. He stated that the department is taking an aggressive role in reduction of costs and in better management of the City's fleet assets in an effort to improve productivity; employees have been challenged to develop solutions, some of which have been implemented; and the goal for the future is to continue to listen and to challenge staff to come up with even better ideas.

Council Member Carder referred to the days of the \$400.00 oil changes, and asked to see additional numbers inasmuch as he advocated privatization of the service to increase cost effectiveness. He inquired if the department is bench marking versus the budget, and advised that he favors bench marking versus actual cost. He requested additional information on the amount of dollars per vehicle mile, the preventative maintenance program, and what are the numbers if the total number of dollars in fleet is divided by the number of vehicle miles, versus total cost if the operation is privatized. He requested additional information on standard business practices throughout the United States in terms of fleet management, what are other communities doing, what was the reason for the \$400.00 oil change which was revealed in a City audit that showed a tremendous amount of waste, as well as other issues in the parts department, what does an oil change cost today, and total dollars expended per vehicle mile today versus yesterday.

Mr. Frazier called attention to privatizing the City's towing needs, at a cost of less than \$40,000.00 per year, which will represent a tremendous cost savings for the City; and partnering with vendors on equipment/parts and one price oil changes.

There was discussion with regard to the rental of certain equipment that is not used on a regular basis versus the cost of replacement of the same equipment by the City; whereupon, Mr. Frazier advised that only a few pieces of equipment that were eliminated from the City's fleet would have to be rented, most of which is in the Streets Division, and amounts to no more than several thousand dollars per year; and the City Manager has requested that various pieces of equipment be monitored as to usage.

The City Manager advised that there are certain pieces of equipment that are proposed for elimination or transfer to the motor pool in the 2004 fiscal year budget, and in those departments where there is an occasional use of a piece of equipment, such specific budgets will include rental dollars because the equipment cannot be taken away without making provision for the cost of rental. She stated that the City's philosophy is that if the equipment is not needed at least 90% of the year, it should not be retained.

The City Manager called attention to two areas of privatization under consideration; i.e: continuation of the washhouse facility and whether or not it would be less expensive to contract for City vehicles to go through a type of automated wash, while retaining the washhouse for larger vehicles that need to be cleaned on a daily basis, such as those used for Solid Waste Collection; and the issue of gasoline dispensing because there is a lot of lost time in vehicles going to one or more locations for gas. She stated that much progress has been made in Fleet Management considering some of the challenges that the department faced, the department has benefitted significantly from input by City staff who are challenged to be the very best, and given more time, additional successes in Fleet Management will be identified and presented to the Council.

There was discussion in regard to environmental issues, whether Fleet Management has an emissions policy, and actions taken by the department to reduce air pollution from City vehicles; and to acquire higher mileage vehicles, or hybrid vehicles using biodiesel fuel; whereupon, Mr. Frazier advised that staff is investigating the use of biodiesel fuel to determine the long term maintenance effects, additional costs if any to vehicles, needed modifications to certain vehicles, additional expenses to be incurred, and local availability of biodiesel fuel. He stated that by using a fuel emissions tester, the fuel system and fuel emissions can be tested to determine whether a vehicle is in compliance with OSHA standards, and Roanoke is now 14,000 to 1 environmentally compliant, which means that the City of Roanoke meets the standards to be certified by the State of Virginia. He added that Fleet Management has become the lead department for environmental concerns, particularly hazardous wastes, and will serve as a model for all other City departments; and the department is also a member of the environmental management system team. He stated that when City vehicles are replaced, staff reviews such issues as gas mileage, annual maintenance costs, and annual down time for repairs.

A question was raised in regard to cooperative efforts with the School system; whereupon, Mr. Frazier advised that staff is working with school officials on an arrangement whereby students can work in the City Garage. He referred to a recent incident in which a City vehicle was painted and repaired by students at a cost of \$200.00 for materials, while the same improvements would have cost in the range of \$1,500.00 through a private vendor.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

**SEWERS AND STORM DRAINS:** The City Manager introduced a briefing on City of Roanoke storm drains and capital projects; whereupon, Philip C. Schirmer, City Engineer, advised that the presentation would cover three areas; i.e.: the big picture to demonstrate how the City of Roanoke is positioned within the watersheds that surround it, land use which is directly related to the amount of runoff from developed properties, and options for funding.

He advised that the contributing watershed that surrounds the Roanoke area is the Roanoke River watershed, which also goes across a number of jurisdictions such as Botetourt County, Roanoke County, Montgomery County, Floyd County, through the City of Salem and down through the City of Roanoke. He stated that the City of Roanoke contains 27,000 acres, or the equivalent of 43 square miles, approximately 33,000 - 35,000 detached residences are located within the City's boundaries, and about 500 square miles of surrounding watersheds are the real issue. He called attention to a number of watersheds within the City of Roanoke: the Roanoke River (about 10% of which is within the confines of the City of Roanoke), Tinker Creek, Peters Creek (about half is in the City) Garnand Branch which goes through Garden City is about 85% within the City, Trout Run is the only watershed that is 100% within the City's boundaries, and Lick Run and Murdock Creek are about 95% within the City's boundaries. He presented slides demonstrating land use, which is related to how much of the rainfall actually runs off in a single family residential development, multi-family dwellings, and institutional uses including City buildings, churches, hospitals, school land, parks, and commercial development.

He advised that there are approximately \$53 million in identified City storm drain capital project needs, ranging in value from small projects of about \$5,000.00 up to \$8,000,000.00, and the \$53 million does not include the Roanoke River Flood Reduction Project which is a much larger project. He further advised that storm drain projects are geographically diverse, located throughout the City, and not concentrated in any one specific area or any one watershed within the City. He stated that there are four funding mechanisms; i.e.: long-term borrowing through bonds which is historically how the City has paid for most of its storm drain improvements in the past, dedicated fees or taxes, developer-related charges, and a storm water utility. With regard to project funding, he advised that bond funding averages about \$700,000.00 a year, and a review of the past ten years of expenditures for storm drain-type projects reveals that the City has spent \$50,000.00 a year from CMERP funds, therefore, the total is approximately \$750,000.00 a year of funds expended by the City on storm drain capital projects. He explained that with current projects scheduled and based upon historical averages, it will take the City approximately 70 years to get through the \$53 million list of storm drain projects, which is a rolling list and as one project comes off, another project is

added to the list. He noted that Roanoke's storm drain infrastructure is aging and nearing the end of its useful life, and not only is the City dealing with new projects, but certain replacement projects as well; recently, the City submitted an application for a storm water quality permit, and water quality regulations will most likely increase the City's funding needs in the area of storm drains.

Mr. Schirmer reviewed enabling legislation in the Commonwealth of Virginia that provides a method for funding projects in a municipally-owned storm water system, which can be considered a utility because basically every property in the City of Roanoke generates water runoff, every developed property contributes to the problem, and a measurable service is being provided to citizens through capital projects, therefore, the locality is providing a direct service that can be charged for. He stated that the fees would reduce the reliance on General Funds, offer an opportunity to provide additional services, all persons would share in the cost since all properties generate water runoff, and there is a limitation that funds generated from a storm water utility can only be used for land acquisition for capital projects relating to storm drains, administration of storm water programs such as the NPDES program, engineering, construction, debt retirement costs, cost of administration, and facility operation and maintenance costs.

Question was raised as to whether the storm water utility would be a separate function from the regional water authority; whereupon, the City Manager advised that during discussions with Roanoke County, it was been stated that long term, it would be in the best interest of the region for storm water to be a part of the regional authority, but including storm water issues in water and sewer authority discussions at this time would cause a delay, therefore, it would be better for the water and sewer authority to be established, followed by consideration of inclusion of storm water at a later date.

The City Engineer advised that there are certain typical steps that must be followed to develop a storm water utility; i.e.: development of a strategy and a feasibility study as to how much of the City's capital debt storm drain projects should be retired and a proposed time frame, development of a rate structure that would support such expenditures, adoption of an ordinance implementing a billing procedure, and ultimately providing the services to Roanoke's citizens.

Mr. Schirmer reviewed examples of how various properties would be charged for the storm drain utility, using an average private residence, an average size condominium complex, and a shopping center in the City of Roanoke.

**It was noted that all citizens will pay the storm water user fee, based on the amount of impervious surface; and under the category of institutional uses, all properties, regardless of their taxable status for real estate purposes, will be required to pay a storm water utility fee, if enacted by the locality. For example: tax exempt non-profits, churches and other types of institutions would be assessed based upon the amount of impervious surface.**

**The City Engineer reviewed storm water utility fees enacted by other localities in the Commonwealth of Virginia, the City of Norfolk being the highest at \$5.47 and Prince William County the lowest at \$1.73; and most localities have clustered around the middle at approximately \$3.00 for an equivalent residential unit, based upon about 2,000 square feet of impervious area. He advised that the City of Roanoke proposes to prepare a detailed study to determine the size of the average residential unit, however, if the City were to implement a \$3.00 per month equivalent residential rate, taking into consideration 33,000 units, residential property owners would pay about 31% of the total, approximately 1100 units in multi-family housing would pay about 40%, commercial properties would pay the bulk of the fee or about 50%, and approximately two-thirds of the fee would be paid by institutional users. He stated that based on a \$3.00 per month assessment, \$3.8 million a year in potential revenue could be applied to capital projects.**

**Mr. Schimer explained that the next steps will involve a feasibility study to review Roanoke's properties in detail, by literally reviewing every residence in the City of Roanoke to determine the average impervious area of the residential unit; a review in detail of each commercial property to determine a rate structure; a detailed forecast in terms of revenue; a review of commercial assessments, billing procedures, and implementation of the system, all of which will involve a considerable amount of time. He stated that another component is a detailed capital project implementation strategy by refining the current list of capital projects to develop a document much like a capital improvement program by listing specific projects, specific costs, costs of administering projects, and costs of engineering and land acquisition, etc.**

**Council Member Bestpitch suggested that priorities and time frames be added to the list, because it would appear that a 70 year time frame could be cut down to somewhere in the range of 15 years or less.**

**The City Manager advised that she would recommend that concentration of funds go into capital, given the current list of outstanding projects, although some localities use a portion of the funds for ongoing maintenance as well as capital expenses; and facilities must be maintained, therefore, it is necessary to ensure that citizens understand that the operating budget of the City of Roanoke will have to increase in terms of the maintenance function, which is a policy decision for the Council as to whether the utility fee itself will be responsible for ongoing maintenance of facilities, as well as capital construction of facilities.**

**Council Member Wyatt questioned the impact on economic development in the City of Roanoke if a storm water utility fee is enacted which could provide a disincentive for businesses to locate in the Roanoke area; whereupon, the City Manager advised that the question is, does the City of Roanoke want to address the problem in an aggressive way and, if so, what is the vehicle to be used. She stated that the real estate tax could be one means, or City staff could be directed to cut their operating budget by ten per cent, or a utility tax could be imposed. She added that it is important to think about the price in terms of economic development if storm drain projects are not completed, because if potential businesses visit the community and see standing water, or neighborhoods that are negatively impacted because of water issues, or there is standing water around businesses, that could also be a disincentive to locate in the area, therefore, it is a delicate balance that the City must strive for.**

**The City Manager advised that the question before Council is whether or not Council would like for City staff to spend the amount of time that will be necessary to provide the level of detail that would be needed for the Council to make an informed decision on enacting a storm water utility fee.**

**The Mayor requested additional information with regard to the list of storm drain projects, how long the projects have been pending, and areas of the City that will be affected.**

**Ms. Wyatt requested information on the cost of a study.**

**Without objection by Council, the Mayor advised that the briefing would be received and filed.**

**DEBT POLICY-DIRECTOR OF FINANCE-BONDS:** The Director of Finance presented a briefing on debt policy for the City of Roanoke. He advised that one of the keys to sound financial management is the development of a debt policy, which is recognized by bond rating agencies and development of a debt policy is a recommended practice by the Government Finance Officers Association. He explained that a debt policy establishes the parameters for issuing debt and managing the debt portfolio; it provides guidance to the administration regarding purposes for which debt may be issued, types and amounts of permissible debt and method of sale that may be used; the debt policy is intended to demonstrate a commitment to long-term financial planning and will be used in conjunction with the Capital Improvements Programs for both the City and the School Board; and adherence to the debt policy will help assure protection of the City's double-A bond rating credit quality.

**(For full text, see Guidelines for Debt Issuance on file in the City Clerk's Office.)**

**At 12:05 p.m., the Mayor declared the meeting in recess.**

At 2:00 p.m., on Monday, April 7, 2003, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Smith presiding.

**PRESENT:** Council Members William H. Carder, M. Rupert Cutler, Alfred T. Dowe Jr., C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch and Mayor Ralph K. Smith-----7.

**ABSENT:** None-----0.

**OFFICERS PRESENT:** Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

**PRESENTATIONS AND ACKNOWLEDGMENTS:**

**HOSPITALS-SISTER CITIES:** The Mayor welcomed Hye-Ryeon Hong, Medical Records Specialist, and Hyun-Sook Jung, Registered Nurse, from Wonju, Korea, Roanoke’s Sister City, who were visiting the Roanoke Valley to observe operations at Lewis-Gale Medical Center and the Pediatric Department at Community Hospital.

The Mayor presented each guest with a crystal star.

**PROCLAMATIONS:** The Mayor presented a proclamation declaring the month of April, 2003, as Scottish American History and Heritage Month.

**PROCLAMATIONS-HOUSING/AUTHORITY:** The Mayor presented a proclamation declaring the month of April, 2003, as Fair Housing Month.

**PROCLAMATIONS-BUILDINGS/BUILDING DEPARTMENT:** The Mayor presented a proclamation declaring April 6 - 12, 2003, as Building Safety Week.

**PROCLAMATIONS-YOUTH:** The Mayor presented a proclamation declaring April 6 - 12, 2003, as Boys and Girls Club Week.

**PROCLAMATIONS-COMMUNICATIONS DEPARTMENT:** The Mayor presented a proclamation declaring April 13 - 19, 2003, as National Public Safety Telecommunicator’s Week.

## **CONSENT AGENDA**

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

**MINUTES:** Minutes of the regular meeting of Council held on Monday, February 3, 2003, and recessed until Tuesday, February 4, 2003; and Tuesday, February 18, 2003, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Cutler moved that the reading of the minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

**NAYS:** None-----0.

**SEWERS AND STORM DRAINS-EASEMENTS:** A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation of a sanitary sewer easement across property located on Hidden Oak Road, S. W., identified as Official Tax Nos. 5050220 - 5050222, inclusive, was before the body.

Mr. Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

**NAYS:** None-----0.

**Y.M.C.A.-CITY PROPERTY:** A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property located at 540 Church Avenue, S. W., identified as Official Tax No. 1113414, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions, was before the body.

The City Manager advised that the YMCA has expressed an interest in acquiring the property on which the Jefferson Gym is located; the YMCA is in need of a new facility to accommodate its expanding number of programs; according to a draft agreement, the City of Roanoke may transfer title to the YMCA with certain conditions; if the YMCA obtains the Jefferson Gym, the YMCA will make available some of its resources, including various fitness and safety programs to City youth; and the exchange will support the recently developed Roanoke Youth Initiative Program.

Mr. Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-ROANOKE ARTS COMMISSION: A communication from Robert L. Humphreys tendering his resignation as a member of the Roanoke Arts Commission, was before the body.

Mr. Cutler moved that the communication be received and filed and that the resignation be accepted. The motion was seconded Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

OATHS OF OFFICE-COMMITTEES-HOUSING/AUTHORITY-COMMUNITY PLANNING-HOTEL ROANOKE CONFERENCE CENTER: The following reports of qualification were before Council:

- Gilbert E. Butler, Jr., as a member of the City Planning Commission, for a term ending December 31, 2006;
- D. Kent Chrisman as a member of the City Planning Commission, for a term ending December 31, 2006;
- Henry Scholz as a member of the City Planning Commission, for a term ending December 31, 2006;

**Sherman V. Burroughs as a member of the Fair Housing Board, for a term ending March 31, 2006; and**

**William White, Sr., as a member of the Hotel Roanoke Conference Center Commission, for a term ending April 8,2007.**

**Mr. Cutler moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members: Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.**

**NAYS: None-----0.**

### **REGULAR AGENDA**

**SCHOOLS: It was the consensus of Council that the following persons will be accorded the public interview for the position of Trustee, Roanoke City School Board, on Thursday, April 24, 2003, at 4:30 p.m.:**

**Dennis M. Binns  
F. B. Webster Day  
Tiffany M. Johnson  
Gloria P. Manns  
Kathy G. Stockburger  
David B. Trinkle**

**PUBLIC HEARINGS: NONE.**

**PETITIONS AND COMMUNICATIONS:**

**TAXES-HOUSING/AUTHORITY-HABITAT FOR HUMANITY: David Camper, President of the Board, Habitat for Humanity, advised that Habitat has enjoyed its partnership with the City of Roanoke over many years; whereupon, he presented a ceremonial check demonstrating that Habitat for Humanity has paid \$66,000.00 in property taxes and \$27,000.00 in building permit fees to the City of Roanoke.**

**He introduced Tom Dalzell, Member of the Board, to present a briefing on house designs.**

Mr. Dalzell advised that the City of Roanoke recently enacted housing designs for use in the neighborhood design districts, and Habitat for Humanity has worked with the City to establish design standards. He presented an illustration of a two bedroom house which has four different variances in that the eaves can go right to left, or front to back, floor plans can be flipped, the structure has approximately 928 square feet, a living room, two bedrooms with walk-in closets, kitchen and dining room with stove, refrigerator and double sink, one full bathroom, laundry room with a washer and dryer, a gas furnace with air conditioning or a heat pump, gas or electric water heater, a 14' wide x 6' deep front porch, and a rear stoop; and outside amenities will include a detached 8' x 8' storage building, concrete sidewalk, and a gravel driveway. He presented a drawing of a three bedroom house of about 1,148 square feet with living room, foyer, three bedrooms with walk-in closets, kitchen and dining room with stove, refrigerator and double sink, one and one-half bathrooms, laundry room with a washer and dryer, a utility storage room, a gas furnace with air conditioning or a heat pump, gas or electric water heater, the front porch on a three or four bedroom house is 22' wide x 6' deep, a rear stoop, and an 8' x 8' outside storage building, a concrete sidewalk, and a gravel driveway. He advised that although no two story houses have been constructed, two plans are available, and presented a drawing for a two-story, three bedroom house with approximately 1,142 square feet, living and dining room, kitchen with stove, refrigerator and double sink, a pantry, a half bathroom on the downstairs level, laundry room with washer and dryer, a gas furnace or heat pump, gas or electric water heater, a front porch of 20' wide x 8' deep, and a 10' wide x 8' deep rear porch; the second floor contains three bedrooms, a full bathroom, an extra sink off the master bathroom, and a loft area, an 8' x 8' outside covered storage building, concrete sidewalk and gravel driveway. He presented a drawing of a two story house with living space of about 1,190 square feet, with a living room and dining room, kitchen with appliances, pantry, a half bathroom downstairs, three bedrooms on the second floor with walk in closets, a full bathroom, a laundry room with washer and dryer, an outside 8' x 8' storage shed, concrete sidewalk and gravel driveway. He noted that the first house using the new design is being constructed on Aspen Street, N. W., which will be a four bedroom structure.

Ms. Beverly Shumar, a soon to be Habitat for Humanity homeowner, advised that Habitat has given her a chance to own something besides her vehicle. She stated that she has watched family after family and generation after generation move into Section 8 subsidized housing because that was all they could afford, and because of Habitat for Humanity they have learned how to work out finances and how to work together, leading to a life of self-sufficiency. She stated that she looks forward to moving into her new home, it gives her peace of mind to know that the house will belong to her, and Habitat for Humanity has made safe living affordable for her.

**YOUTH:** Ms. Denesha Johnson, Team Leader, advised that she is a resident of the City of Roanoke and a senior at William Fleming High School, and expressed appreciation for the opportunity to present information with regard to National Youth Services Day, which will be held on Saturday, April 12, 2003, at the Roanoke Higher Education Center, at 9:00 a.m. She invited Council Members to attend activities on April 12 and to join in volunteer projects between 10:00 a.m. and 2:00 p.m., to clean up Loudon Park, to paint a mural, to plant a garden at McCray Court, to organize thousands of donations through the "We Care Drive", to clean trains at the Virginia Museum of Transportation, clean up projects at Huff Lane Micro Village and Patrick Henry High School, and to work with children at the Literacy Festival. She stated that participation in National Youth Services Day will provide an opportunity to show Roanoke's youth how much Council believes in them.

Marion Vaughn-Howard, Youth Coordinator for the City of Roanoke, introduced members of the Boys and Girls Club who will participate in Youth Services Day by working at Huff Lane Micro Village.

**SCHOOLS:** Dr. E. Wayne Harris, Superintendent, Roanoke City Public Schools, presented a briefing on Career and Technical Education for the 21st Century in the City of Roanoke.

He advised that efforts are being made in Roanoke City Public Schools to educate students to thrive in a changing economy; the United States economy is changing rapidly in ways that will have disastrous consequences for workers who lack skills that are now necessary for many good jobs; and Roanoke City Schools is committed to making certain that Roanoke City students acquire those skills and graduate from Roanoke's high schools prepared for success.

Dr. Harris advised that when visiting Roanoke's schools, one will see a number of programs that resemble vocational programs; as the programs have changed and expanded to meet the workforce needs of the 21st century, the names have changed from vocational education to business and technical education and from business and technical education to career and technical education; in addition to teaching the skills required in each career program, focus is placed on mathematics, reading, writing and communication skills; students must also be able to solve problems, work effectively with diverse groups and use computers; and the school system works closely with employers and organizations such as the Virginia Employment Commission to help the school system set the right course for its students, now and in the future.

Superintendent Harris presented an overview of the scope of Career and Technical course offerings:

**Business offerings grow more complex each year as Roanoke's schools respond to the work needs of the community; and students become highly skilled in the operation of computers and peripheral equipment as they work with information systems and accounting.**

**In the area of Family and Consumer Sciences, students learn the techniques of working with young children.**

**Since Roanoke is a major health care center, the Health Care Assistant Program is designed to prepare students for successful entry into this field.**

**Increasingly, Roanoke is becoming a global community with its economy closely intertwined with the rest of the world; and marketing programs are designed to provide students with training that will allow them to compete in the world marketplace.**

**Technology has forced rethinking of the curriculum to include a variety of courses that focus on engineering and innovative applications of technology.**

**Roanoke's trades and industrial courses, such as welding and automotive technician, allow students to work with industry standard equipment; and these courses sound like the old vocational courses but they, too, have been redesigned to reflect new technology.**

**Dr. Harris advised that the School system is excited about three new courses:**

**Sports, Entertainment and Recreation marketing which allows students to develop skills in marketing analysis, event marketing, communication and human relations; and the program began this year at Patrick Henry High School and will be offered next year at William Fleming.**

**Virtual Enterprise is designed to develop entrepreneurship; beginning next year, students will be involved in web-based business; the program enables students to experience all of the facets of being an employee of a firm ranging from human resources, accounting, product development, to production, distribution, marketing and sales.**

**A Criminal Justice course will be offered next year for students to have an opportunity to gain experience and knowledge in law enforcement, corrections and the court system.**

**It was noted that more students opt to participate in Career and Technical Education courses each year; there has been growth over the past three years and it is projected that student numbers will increase this year; Career and Technical Education courses available to students for college credit include ten courses that may be taken for college credit, which range from welding to international marketing; and benefits of earning college credit while in high school include a "jump start" in college, introduces students to college level work, and financial savings; many students are engaged in on-the-job training programs; in 2000-01 and 2001-02, students earned over half a million dollars, which amount will again increase this year.**

**Dr. Harris advised that Advanced Auto, First Union, Lewis-Gale Hospital and many other area employers train Roanoke students and pay them as they learn; certain fields offer industry certification which says to employers, nationwide, that the student possesses the specialized skills that meet industry specifications; many times, certification counts toward graduation and counts for the Standards of Learning tests; and certification spans the field, from FAA Pilot's licensure to Microsoft Office Specialist.**

**It was explained that an objective of the Career and Technical Program is to connect students with employers; one of the best ways to do so is at the annual Job Fair which will be held on Tuesday, April 8, 2003, at the Roanoke Civic Center, where 65 - 70 employers will participate, typically 100 students attend, and last year, 38 students were offered jobs.**

**In summary, Dr. Harris advised that enrollment has increased, college credit courses have been expanded, industry certification programs are added each year and students develop a relationship with employers. He stated that Career and Technical Education impacts the learning and earning potential of Roanoke City students; and goals of the program are to provide students with 21st century workplace skills, to enhance the career and earning potential of students, and to partner with businesses in the region to impact economic development.**

**Council Member Cutler advised that at its 9:00 a.m. work session, Council received a briefing by the City's Fleet Manager who stated that auto body shop students have repaired City vehicles, leading to considerable cost savings for the City of Roanoke, and benefits for both the City and the students. He inquired as to the future of the Blue Ridge Technical Academy; whereupon, Dr. Harris advised that the facility has a bright future, the facility has not attracted the number of students that were initially envisioned, it was intended to be a regional facility with an enrollment in excess of 200 students by the third year, however, 40 students are currently enrolled, the majority of which are Roanoke City students; and although some adjustments have been made, the program is still alive and well, and there is a commitment to continue the philosophy of the program and to expose young people to the five job force areas that the program was intended to address.**

**AIRPORT-BUDGET:** A communication from Jacqueline L Shuck, Executive Director, Roanoke Regional Airport Commission, advising that in accordance with requirements of the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended, the Roanoke Regional Airport Commission is submitting its Fiscal Year 2003-04 Operating Budget for approval, which budget was adopted by the Airport Commission at its meeting on March 12, 2003; and the Commission is also submitting a separate list of Capital Expenditures which are expected to exceed \$100,000.00 in cost and are intended to benefit five or more future accounting periods, was before Council.

Mr. Carder offered the following resolution:

**(#36270-040703) A RESOLUTION** approving the Roanoke Regional Airport Commission's 2003-2004 proposed operating and capital budget, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 97, page 178.)

Mr. Carder moved the adoption of Resolution No. 36270-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

**AYES:** Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

**NAYS:** None-----0.

**REPORTS OF OFFICERS:**

**CITY MANAGER:**

**BRIEFINGS: NONE.**

**ITEMS RECOMMENDED FOR ACTION:**

**BUDGET-FDETC-ENTERPRISE ZONE-FIRST UNION NATIONAL BANK:** The City Manager submitted a communication advising that the City of Roanoke, First Union and the Fifth District Employment and Training Consortium (FDETC) agreed that if First Union would maintain 420 jobs in Enterprise Zone One, training funds would be available; the agreement provides that First Union is responsible for repaying \$400.00 for each position below 420; a compliance review noted that only 342 First Union employees are now located in Enterprise Zone One, therefore, the City recently received a check from First Union in the amount of \$31,200.00 representing repayment for 78 positions.

The City Manager recommended that Council appropriate \$31,200.00 of First Union repayment funds to the Enterprise Zone Training Incentive Fund, Account No. 008-310-9630, to further the goals of the Enterprise Zone program; and establish a revenue estimate of \$31,200.00 in the "First Union Job Grant Repayment" revenue account.

Mr. Cutler offered the following ordinance:

(#36271-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 179.)

Mr. Cutler moved the adoption of Ordinance No. 36271-040703. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

The City Manager was requested to provide a brief description of how the funds will be used; whereupon, she advised that no specific use has been identified, however, funds could be used as an incentive to a subsequent business that might be interested in receiving training incentive funds.

**BUDGET-FIRE DEPARTMENT-LANDMARKS/HISTORIC PRESERVATION:** The City Manager submitted a communication in connection with restoration of the Fire Station No. 1 bell tower roof, cornice, entablature, and tower brackets, which is located at 13 East Church Avenue in downtown Roanoke; and the Consulting Team of Don Harwood, an architect with Hill Studio, and Mark Clark of Southwest Restoration, a restoration specialist of historic structures, provided the City with a report outlining deficiencies in the bell tower.

It was further advised that funding for the project is available in Fixed Asset Maintenance, Account No. 001-440-4330-3057, in the amount of \$25,000.00 and Maintenance CMERP, Account No. 001-440-4330-9132, in the amount of \$20,465.00; additional funding would be required to accomplish all of the recommended work in one phase and total funding in the amount of \$169,965.00 is needed; additional funding is available in the General Fund Reserve, Account No. 001-300-9410-2197, in the amount of \$124,500.00; and included in project costs are design services provided by an architectural/engineering consultant, renovation services provided by a contractor, and miscellaneous project expenses including advertising, printing, testing services, and unforeseen project conditions.

The City Manager recommended authorization to transfer \$124,500.00 from the General Fund Reserve Account to Maintenance CMERP, Account No. 001-440-4330-9132.

Mr. Carder offered the following ordinance:

(#36272-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 180.)

Mr. Carder moved the adoption of Ordinance No. 36272-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

**BUDGET-BRIDGES:** The City Manager submitted a communication advising that Council recently approved one-way vehicular and pedestrian concept design for renovation of the First Street Bridge, at an estimated cost of \$2,390,100.00, and partial funding in the amount of \$750,000.00 has been appropriated; the City is negotiating with Norfolk Southern Railway to pay \$275,000.00 as the cost for removal of its signals from the bridge; and additional funding in the amount of \$1,365,100.00 needed for bridge renovation is available in the General Fund Reserve Account.

The City Manager recommended that Council transfer \$1,365,100.00 from General Fund Reserve, Account No. 001-300-9410-2197, to First Street Bridge, Account No. 008-052-9574.

Mr. Dowe offered the following ordinance:

(#36273-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 181.)

Mr. Dowe moved the adoption of Ordinance No. 36273-040703. The motion was seconded by Mr. Cutler and adopted by the following vote:

**AYES: Council Members Carder, Cutler, Dowe, Harris, and Bestpitch-----5.**

**NAYS: Council Member Wyatt and Mayor Smith -----2.**

**PURCHASE/SALE OF PROPERTY-FIRE DEPARTMENT:** The City Manager submitted a communication advising that funding has been approved by Council for development of a new fire station/fire administration headquarters building which will also combine current Fire Stations Nos. 1 and 3; several sites with proximity to the downtown area were considered as possible locations, with one site being selected that best meets the needs for the new facility; and one parcel, identified as Official Tax No. 1020310, at the corner of Elm Avenue and Franklin Road, S. W., needs to be acquired for the project.

It was further advised that authorization by Council is necessary in order to move forward with procurement of title work and document preparation related to acquisition of the necessary property rights; and funding of \$145,000.00 for the purchase price, plus approximately \$5,000.00 for related expenses, is available in Capital Project Account No. 008-530-9678-9050, Fire/EMS Facility Improvement Program.

The City Manager recommended that she be authorized to acquire all property rights as stated above, subject to an acceptable title report; and said property rights may be acquired by negotiation and may include fee simple, permanent easements, temporary construction easements, rights-of-way, licenses or permits, etc.

Mr. Carder offered the following ordinance:

**(#36274-040703) AN ORDINANCE** providing for the acquisition of certain property needed by the City for the development of a new fire station and fire administration headquarters building; setting a limit on the consideration to be offered by the City; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 97, page 182.)

Mr. Carder moved the adoption of Ordinance No. 36274-040703. The motion was seconded by Mr. Dowe.

Council Member Bestpitch advised that he intended to support the ordinance; however, he previously questioned whether the plans include construction of over night sleeping quarters for firefighters on the same floor level that equipment will be stored. The City Manager responded that housing will be located on the second floor and administrative activities will be housed on an upper floor.

Mr. Bestpitch stated that he was of the impression that the City decided some time ago that new fire stations would be constructed with sleeping quarters and equipment on the same level to prevent accidents in the middle of the night when calls come in, and requested that the City Manager review the matter. He referred to a previous suggestion to eliminate the eastern most lane on Franklin Road, thereby enabling lanes to be shifted over, and extra land along the edge of the property would be available to accommodate design of a building that would allow sleeping quarters for staff to be located on the same level as equipment.

The City Manager advised that she was unfamiliar with a plan to locate sleeping quarters and equipment on the same level; fire stations constructed throughout the State of Virginia in the last several years continue to use the second floor for living quarters in order to keep activities separate, because there are times when certain pieces of equipment and staff are sent out, while others are given the opportunity to remain at rest, however, she would discuss the matter with the Fire Chief. With regard to the Franklin Road issue, she stated that the City is discussing the matter with the Virginia Department of Transportation, there will be a need to shorten a median in order to create an appropriate turning radius for fire apparatus entering Franklin Road, and the first step is to acquire the necessary land which could modify the way that the City is looking at the entire project.

Ordinance No. 36274-040703 was adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Bestpitch, and Mayor Smith-----6.

NAYS: Council Member Wyatt-----1.

**INSURANCE-CITY EMPLOYEES:** The City Manager submitted a communication advising that the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as amended, requires the City, as a sponsor of its health care plan, dental plan, and flexible spending account plan, to enter into Business Associate Agreements with companies that receive health information; HIPAA also requires the City to amend its plans with regard to HIPAA privacy requirements; compliance with HIPAA is required by April 15, 2003; and no additional costs will be incurred as a result of the Business Associate Agreements, or amendments to the plans; however, contracts to administer the plans and the Business Associate Agreements contain standard mutual indemnity provisions.

The City Manager recommended that she be authorized to execute Business Associate Agreements with Anthem Health Plans of Virginia, Palmer & Cay Consulting Group, Ceridian Corporation, Delta Dental and Ceridian Corporation, and to amend the health care plan, dental plan and flexible spending account plans to include the HIPAA privacy requirements, such agreements and amendments to be approved as to form by the City Attorney.

**Mr. Dowe offered the following resolution:**

**(#36275-040703) A RESOLUTION authorizing the City Manager to enter into a Business Associate Agreement with Anthem Health Plans of Virginia, Palmer & Cay Consulting Group, Ceridian Corporation, Delta Dental and to amend the health care plan, dental plan and flexible spending account plans to include the HIPAA privacy requirements.**

**(For full text of Resolution, see Resolution Book No. 97, page 183.)**

**Mr. Dowe moved the adoption of Resolution No. 36275-040703. The motion was seconded by Mr. Harris and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.**

**NAYS: None-----0.**

**PURCHASE/SALE OF PROPERTY-BUDGET-WATER RESOURCES: The City Manager submitted a communication advising that as part of the City's drought response from last summer, various locations were identified as possible drinking water well sites to increase the City's water supply; the Utility Department has sought the development and implementation of seven high-yielding wells that exist primarily on City property; and although the water emergency is currently over, these water supply projects are at various stages of completion.**

**It was further advised that to date, the Utility Department has expended, or committed capital costs and services, in the amount of \$427,302.00 in connection with a contract with Golder Associates Inc., for well site exploration, testing, drilling and development; and a contract change order in the amount of \$369,835.00 is required to complete the work which, in addition to the well construction, includes a preliminary design report for a well water softening system.**

**It was explained that an option agreement to purchase a portion of the property located at 1905 Riverdale Road, S. E., from a private individual to be used as a well site has been agreed to by the landowner, at an option cost of \$2,000.00, which will be applied to the purchase price of \$20,000.00 if the City elects to purchase the property; purchase of the site will occur only if a well can be successfully completed at the site; and the City is responsible for closing the test well and restoring the site if the option agreement is not exercised.**

It was noted that funding has previously been approved and is available in Capital Account No. 002-530-8408-9003; with the recent water rate increase, additional revenue in the amount of \$300,000.00 may be estimated for fiscal year 2003; certain professional consulting services, such as rate studies and appraisals, will be needed to assist in creation of the regional water and wastewater authority; and the additional revenue is recommended for appropriation for such purposes.

The City Manager recommended that she be authorized to execute a change order, in the amount of \$369,835.00, to the existing contract with Golder Associates, Inc., to provide consulting and well drilling services, and to provide consulting services for a preliminary engineering report for a well water softening system; to execute an option agreement to purchase the above described well site property, and subsequent documents to purchase such property, if such option is exercised; and to take such further action and to execute such further documents as may be necessary to implement and administer the above described work and, if appropriate, any other necessary documents to acquire the above described well site property; that Council increase revenue estimates for fiscal year 2003 by \$300,000.00, as follows: (1) Commercial \$113,743.00, (2) Industrial \$14,645.00, (3) Domestic \$171,612.00; and that Council appropriate \$100,000.00 to Capital Account No. 002-530-8408-9003, Well Construction and \$200,000.00 for consulting services, to assist with creation of the regional water and sewer authority, to an account to be established by the Director of Finance in the Water Fund.

Mr. Cutler offered the following ordinance:

(#36276-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 184.)

Mr. Cutler moved the adoption of Ordinance No. 36276-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

**(#36277-040703) AN ORDINANCE authorizing the City Manager’s issuance of Change Order No. 2 to the City’s contract with Golder Associates, Inc., for ground water exploration investigation and work in connection with developing more additional sources of water to increase the City’s water supply; and dispensing with the second reading by title of this ordinance.**

**(For full text of Ordinance, see Ordinance Book No. 97, page 185.)**

**Mr. Carder moved the adoption of Ordinance No. 36277-040703. The motion was seconded by Mr. Cutler and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.**

**NAYS: None-----0.**

**Mr. Bestpitch offered the following ordinance:**

**(#36278-040703) AN ORDINANCE authorizing the execution of an option agreement for the acquisition of certain property located at 1905 Riverdale Road, S. E., and subsequent legal documents to purchase the property upon the exercise of such option, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.**

**(For full text of Ordinance, see Ordinance Book No. 97, page 186.)**

**Mr. Bestpitch moved the adoption of Ordinance No. 36278-040703. The motion was seconded by Mr. Carder and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.**

**NAYS: None-----0.**

**CITY ATTORNEY:**

**DIRECTOR OF FINANCE-CITY CODE-REAL ESTATE VALUATION-CITY EMPLOYEES: The City Attorney submitted a written report advising that during Council’s meeting on March 3, 2003, he was requested to prepare the necessary ordinance to amend the City Code to provide that the Director of Real Estate Valuation be appointed by and report to the Director of Finance, rather than being appointed by and reporting directly to City Council, effective August 1, 2003; whereupon, he transmitted the measure for Council’s consideration.**

Mr. Cutler offered the following ordinance:

**(#36279-040703) AN ORDINANCE amending and reordaining §32-37, Appointment and term, and §32-37.1 General powers and assistants, of Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, in order to change the method of appointment of the Director of Real Estate Valuation, placing the Office of Real Estate Valuation under the control of the Director of Finance; providing for an effective date; and dispensing with the second reading of this ordinance. (For full text of Ordinance, see Ordinance Book No. 97, page 187.)**

Mr. Cutler moved the adoption of Ordinance No. 36279-040703. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.**

**NAYS: None-----0.**

**DIRECTOR OF FINANCE:**

**DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS:** The Director of Finance submitted the Financial Report for the City of Roanoke for the month of February 2003.

There being no questions, and without objection by Council, the Mayor advised that the Financial Report for February 2003 would be received and filed.

**DEBT POLICY:** The Director of Finance submitted a written report advising that a debt policy is one component of sound financial management of a local government; the importance of a debt policy is recognized by bond rating agencies, and development of a debt policy is a recommended practice by the Government Finance Officers Association; a debt policy establishes the parameters for issuing debt and managing debt portfolio, it provides guidance regarding purposes for which debt may be issued, types and amounts of permissible debt and method of sale that may be used; and City Council originally adopted the City's debt policy in September 1999.

It was further advised that at the annual Financial Planning Session, a commitment was made to review the City's Debt Policy and to bring forth any recommended changes to the policy; after coordination with the City's financial advisor and analysts at the municipal bond rating agencies, several enhancements and revisions have been made to the City's debt policy, as follows:

**Added guidance concerning investment policy for proceeds from bond issuance, such guidance is similar to that typically recommended for municipal investment.**

**Removed the self-imposed target of net debt per capita of \$2,000.00; few comparative cities within the First Cities Coalition utilized this target; and addition of the self-imposed target of principal redemption within a ten year period equal to 50 per cent, or more, of aggregate outstanding principal.**

**Added language to clarify occasions when the City may issue debt through a method other than competitive sale; added guidance concerning the savings which should be targeted in order to justify an advance refunding of debt.**

**The Director of Finance explained that changes and enhancements are important in allowing the City to continue to demonstrate a commitment to long-term financial planning; and the debt policy will continue to be used in conjunction with the Capital Improvement Programs for both the City and the School Board; and adherence to the policy will help to assure protection of the City's double-A bond rating credit quality into the future.**

**The Director of Finance recommended that Council adopt a measure amending the City's Debt Policy as above described.**

**Mr. Bestpitch offered the following resolution:**

**(#36280-040703) A RESOLUTION approving and adopting a Debt Policy for the City of Roanoke.**

**(For full text of Resolution, see Resolution Book No. 97, page 188.)**

**Mr. Bestpitch moved the adoption of Resolution No. 36280-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:**

**AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.**

**NAYS: None-----0.**

**REPORTS OF COMMITTEES: None.**

**UNFINISHED BUSINESS: None.**

**INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: None.**

**MOTIONS AND MISCELLANEOUS BUSINESS:**

**INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:**

**STATE HIGHWAYS-SIGNS/BILLBOARDS/AWNINGS:** Council Member Dowe referred to increased traffic, supposedly due to increased residential and business activity in the Colonial Avenue area, and advised that during peak times of traffic, many drivers who are familiar with the Colonial Avenue Exit on I-581 begin to exit on the shoulder of the road. However, he expressed concern for those drivers who are not familiar with the road and may by-pass the exit; whereupon, he requested that the City Manager investigate the matter to determine if appropriate signage could be installed to alert motorists to begin to exit at a certain point prior to the actual off ramp at the I-581 Colonial Avenue Exit.

**ACTS OF ACKNOWLEDGMENT-UTILITIES-WATER RESOURCES:** Council Member Cutler commended the City's Director of Utilities, Mike McEvoy, upon receipt of the 2002 Construction Management Achievement Award from the National Capital Chapter of the Construction Management Association of America for management of the City's new Crystal Spring Filter Plant.

**CITY COUNCIL-TREES:** Council Member Cutler advised that the City's new Urban Forestry Plan will be included on the April 21, 2003 City Council agenda for consideration, which calls for aggressive reforestation in the City of Roanoke.

**HOCKEY-SPORTS ACTIVITIES:** Council Member Wyatt commended the Roanoke Express hockey team which is now in the playoffs. She advised that the next game will be held on April 8, and if the Roanoke Express is successful, the team will proceed to the second round of playoffs.

**COUNCIL:** Mayor Smith advised that those persons who regularly attend City Council meetings are familiar with the process enacted by Council to address certain issues; the time allotted for persons to speak, depending on the number of persons who have signed up to speak on any one issue; and efforts are made to treat all persons equally. He called attention to a recent incident when a speaker targeted a certain Member of Council; whereupon, he noted that Council should be addressed as a whole and in a constructive manner. He encouraged all persons to think about what is being said and presented to the citizens of Roanoke, because their statements are a reflection of what Roanoke is as a City. He advised that he introduces speakers in the order in which they register to speak; however, there was an occasion at the last Council meeting when a speaker deferred to speak when called upon; by deferring, the individual was allowed to speak later in the meeting; and in the future, with the concurrence of Council, all speakers will be recognized in the order that they registered, and if an individual defers to speak at the appropriate time, or if a speaker is out of the Council Chamber when his or her name is called, the individual will forgo the opportunity to speak.

**HEARING OF CITIZENS UPON PUBLIC MATTERS:** The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

**COMPLAINTS-STATE HIGHWAYS-ROANOKE CIVIC CENTER-SNOW REMOVAL-SCHOOLS:** Mr. Chris Craft, 1501 East Gate Avenue, N. E. , requested that businesses along Route 460 be advised of upcoming events at the Roanoke Civic Center, in order that they may be properly staffed to accommodate additional customers. He commended City staffed on their hard work to clean up the City following the snow/rain event on Sunday, March 30. He expressed disappointment that he was not selected to be interviewed for a position on the Roanoke City School Board.

**COMPLAINTS:** Mr. Robert Gravely, 3360 Hershberger Road, N. W., quoted Bible scripture, and referred to his Constitutional rights with regard to freedom of speech.

**POLICE DEPARTMENT-ANIMALS/INSECTS:** Ms. Tracey Hamblin, 628 Day Avenue, S. W., advised that on March 11, 2003, a neighbor's dog was shot by a City Animal Control Officer. She noted that the Animal Control Officer stated that the dog charged him, however, that is not an accurate assessment of the situation. She stated this was an unfortunate situation, there has been no contact by the City with the owner of the dog, and the family lost a cherished member of their family. She expressed concern for the safety of her family, had one of her children decided to

run out of the house at the same time that the animal was shot. She stated that the entire neighborhood is upset about the incident, and advised that a petition will be submitted at the next meeting of Council signed by persons residing in the neighborhood who are concerned about the incident and the City's lack of response.

Ms. Doretha Lipford, 629 Day Avenue, S. W., owner of the dog, expressed concern that she has not received an explanation as to why the Animal Control Officer shot her pet, nor has she received an apology. She stated that her dog was loved by her neighbors, he was gentle and he played with neighborhood children. She advised that she would bear part of the blame because her dog was unleashed at the time of the incident.

Ms. Stephanie Lipford, 629 Day Avenue, S. W., also expressed concern that her dog was shot without reason and no apology has been received from the Animal Control Officer who was responsible.

#### **CITY MANAGER COMMENTS:**

**CITY MARKET-ACTS OF ACKNOWLEDGMENT:** The City Manager called attention to three occasions over the past weekend when she was reminded of the greatness of the City of Roanoke and its citizens; i.e: Clean Valley Day on Saturday, April 5, which demonstrated the level of volunteerism by persons committed to cleaning up the City of Roanoke; remarks by Alex Garvin, Adjunct Professor, Urban Planning and Management, Yale University, and a member of the team that will be responsible for the rebuilding of New York City, who was favorably impressed with the City of Roanoke and specifically the City Market area; and the remarks of Danielle Yu, a professional harpist, who previously lived in the Roanoke area and considers Roanoke to be her second home.

The City Manager advised that often times when dealing with problems or tragedy, we fail to see the assets of our community, and Roanoke's greatest asset is its citizens.

At 3:45 p.m., the Mayor declared the meeting in recess for four Closed Sessions.

At 5:00 p.m., the meeting reconvened in the Council Chamber, Mayor Smith presiding, and all Members of the Council in attendance, with the exception of Council Member Carder, who left the meeting during the Closed Session.

**COUNCIL:** With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

**AYES:** Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----6.

**NAYS:** None-----0.

(Council Member Carder was absent.)

**OATHS OF OFFICE-COMMITTEES-ROANOKE ARTS COMMISSION:** The Mayor advised that there is a vacancy on the Roanoke Arts Commission, created by the resignation of Will Trinkle, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Kristi Pendelty.

There being no further nominations, Ms. Pendelty was appointed as a member of the Roanoke Arts Commission, for a term ending June 30, 2004, by the following vote:

**FOR MS. PEDELTY:** Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----6.

**NAYS:** None-----0.

(Council Member Carder was absent.)

There being no further business, at 5:10 p.m., the Mayor declared the meeting in recess until Friday, April 11, 2003, at 12:00 noon, for the Regional Leadership Summit Luncheon, to be hosted by Virginia Tech at Virginia Tech’s Donaldson Brown Hotel & Conference Center and Alumni Hall (Old Guard Room), Blacksburg, Virginia.